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EXAMINER

LASTRA, DANIEL

ART UNIT	PAPER NUMBER
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3622

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/171,043

Applicant(s)

KONNERSMAN, PAUL M.

Examiner

DANIEL LASTRA

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 24.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

1. Claims 1-55 have been examined.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-39, 41-52 and 54-55 have been rejected under 35 U.S.C. 102(e) as being anticipated by Swenson et al (U.S. 5,490,097).

As per claim 1, Swenson et al teach:

*A computer implemented* method for managing work processes comprising:

instantiating project models as instances of a work process model comprised of interdependent decisions, to which said project models conform (see column 2),

*providing* said process models as elements of a computer-based system in support of the work process (see columns 1 and 2) and

*providing* said project models as elements of a computer-based system in support of the work process (see columns 1-2).

As per claim 2, Swenson et al teach:

A computer implemented method for modeling work processes comprising instantiating a plurality of objects by abstract or concrete classes, and including at least a decision class and a data class (see column 3),

relating each decision object to one or more data objects which it produces, requiring, for at least one decision object, at least one data object as a prerequisite to its activation or completion thereby establishing an interdependence between the decision object requiring said data and the decision object providing said data (see column 2, lines 45-67)

optionally generating additional subclasses or instances of said decision and data classes (see column 13).

As per claim 3, Swenson et al teach:

The method of claim 2 further comprising relating an arc or link class linking a first decision with a second decision (see column 13)

As per claim 4, Swenson et al teach :

The method of claim 2 further comprising:

*providing* a decision role class specialized into at least two subclasses, each with differing behaviors (see figure 2 and column 13)

defining for each decision role class communication requirements among incumbents of roles participating in a decision, and rights of each such *specialized* role class incumbents with respect to *said incumbents participation in a decision* (see column 8, lines 37-50).

As per claim 5, Swenson et al teach:

A computer implemented method for traversing networks including nodes and directed arcs comprising:

utilizing messaging between said nodes and arcs and collections of said arcs, and determining the membership of said collections by at least one of their entry nodes and exit nodes (see figure 2).

As per claim 6, Swenson et al teach:

A computer implemented method of modeling and managing decision-making work processes among a plurality of participants comprising:

*providing* a network whose nodes are abstract decision situations, and providing arcs directed by decisions based on logical precedence (see figure 2)

As per claim 7, Swenson et al teach:

The method of claim 6 further comprising:

requiring nodes to support participation of multiple persons in differentiated roles (see figure 1).

As per claim 8, Swenson et al teach:

The method of claim 7, further comprising:

requiring that incumbents of exactly one differentiated role make a choice modeled by said abstract decision situation (see figures 1 and 2);

requiring that incumbents of a second differentiated role have notice, elapsed time and access to incumbents of the first role prior to the incumbents of said first role having made said choice (see figures 1 and 2),

requiring that incumbents of a third differentiated role have an opportunity to inspect results of the choice made by the incumbent of the first role after said choice, and to accept or reject said results, with or without reference to established criteria (see figures 1 and 2), and

requiring that incumbents of a fourth differentiated role have timely notice of results of the choice made by the incumbents of the first role after said choice (see figures 1 and 2).

As per claim 9, Swenson et al teach:

The method of claim 8, further comprising:

requiring that incumbents of a fifth differentiated role have an opportunity to inspect the results of the choice made by the incumbents of the first role, and to accept or reject said results according to its conformance or non-conformance to established criteria *for said results* (see figures 1-21)

As per claim 10, Swenson et al teach:

The method of claim 1, further comprising:

using said process models to instantiate project models (see figures 1 and 2),  
and

using said process and project models to manage, direct, and control the work of the process (see figures 1 and 2).

As per claim 11, Swenson et al teach:

The method of claim 2 further comprising:

providing a rule class as a subclass of the data class (see figure 2a) ,

*and at least one of:*

(A) providing that instances of said rule class may be specified by a concrete decision class for use to completely determine the result of instances of said decision class by choosing the value of its associated decision's data object (see figure 2a), and

(B) contingently determine *at least one of* (i) the associated decision object's requirement for some other specific data object, (ii) the associated decision object's association with a specific role object, (iii) the incumbent of a specific role object associated with said decision object, and (iv) the use of a different rule object associated with said decision object (see figures 1-21).

As per claim 12, Swenson et al teach:

A computer implemented method for managing work processes comprising instantiating project models as instances of a decision process model comprised of interdependent decisions, to which said project models conform (see figures 1 and 2),

modeling processes using an extensible, object-oriented framework, and mapping plural participants in the process using objects representing abstract and concrete classes as elements of said framework (see columns 7-13).

As per claim 13, Swenson et al teach:

A computer implemented decision-making method for traversing work process models including nodes and directed arcs connecting said nodes comprising

initializing all directed arcs and arc collections with an inactive state (see column 5, lines 47-67),

activating an entry collection of directed arcs which share a common entry node upon completion of the entry node's function (see column 5, lines 47-67),

activating all members of said entry collection upon activation of said entry collection (see column 5, lines 47-67 – column 6, lines 1-29),

activating an exit collection of directed arcs which share a common exit node upon activation of any member of said exit collection (see column 5, lines 47-67 – column 6, lines 1-29), and

testing, upon activation of said exit collection other members of said exit collection for said member's active/inactive state and if any member of said exit collection is inactive, then stop testing and return said exit collection to its inactive state, and otherwise, if all members have tested active, activate their common exit node (see column 5, lines 47-67 – column 6, lines 1-29).

As per claim 14, Swenson et al teach:

A method for managing work processes comprising:

using an object-oriented application framework to build and configure decision process models comprised of interdependent decisions (see figure 2),

rendering said process models as elements of a computer-based system in support of the work process (see column 5, lines 30-67 – column 6, lines 1-29; figure 2)

instantiating project models as instances of said process models (see columns 5-6), and

rendering said project models as elements of a computer-based system in support of the work process (see columns 5-6).



As per claim 15, Swenson et al teach:

The method of claim 14 further comprising:

rendering said process models as directed graphs, whose nodes are *concrete* classes modeling decisions, and whose directed arcs or edges model dependencies between the nodal classes (see figure 2), and

rendering said project models as a partition of the graph of the instantiating process, where such partition is defined by a specified node from the process graph and all and only those other nodes that are dependent on said specified node (see columns 5-7).

As per claim 16, Swenson et al teach:

A computer implemented method for traversing work process network models which are composed of nodal objects and directed arc objects connecting said nodal objects comprising:

*requiring that each nodal objects, each of said directed arc objects and each collection of said directed arc objects have a state (see figures 2,5,6);*

setting the state of every said directed arc object based upon the state of the nodal object at the initial or entry node of said directed arc object (see figure 2),

testing the state of every directed arc object in a collection of directed arc objects, when any directed arc object in said collection changes state, where the members of said collection are all and only those directed arc objects which have the same terminal or exit node (see figure 2), and

setting the state of the nodal object at the terminal or exit node of a collection of said directed arc objects based on the collective states of all members of the collection, where the members of said collection are all and only those directed arc objects which have the same terminal or exit node (see figure 2).

As per claim 17, Swenson et al teach:

A computer implemented method of modeling and managing work processes comprising:

using a network or graph whose nodes are abstract decision situations representing choices to be made, which choices are modeled by concrete decision classes and by instances of those classes (see columns 5-7), and

providing arc objects directed in each instance by an ordered pair of concrete decision classes associated with each arc object, where an entry or initial member of said ordered pair produces a data result required by an exit or terminal member of said ordered pair (see columns 5-7).

As per claim 18, Swenson et al teach:

The method of claim 17 further comprising requiring each concrete decision class to support participation of multiple persons in differentiated roles (see figure 1).

As per claim 19, Swenson et al teach:

The method of claim 18, further comprising:

requiring that incumbents of-one differentiated role associated with a concrete decision class, make-the choice modeled by-said concrete decision class (see figures 1-2 and columns 5-7), and

requiring that incumbents of a second differentiated role associated with said concrete decision class, have notice, elapsed time and access to the incumbents of the first role prior to the incumbent of said first role having made said choice (see figures 1-2 and columns 5-7),

requiring that incumbents of a third differentiated role associated with said concrete decision class, have opportunity to inspect the results of the choice made by the incumbents of the first role after said choice, and to accept or reject said results without or without reference to established criteria (see figures 1-2 and columns 5-7), and

requiring that incumbents of a fourth role associated with said concrete decision class, have timely notice of the results of the choice made by the incumbent of the first role after said choice has been made (see figures 1-2 and columns 5-7).

As per claim 20, Swenson et al teach:

The method of claim 19, further comprising requiring that incumbents of a fifth differentiated role associated with said concrete decision class, have the opportunity to inspect the results of the choice made by the incumbents of the first role after said choice, and to accept or reject said results, but only according to its conformance or non-conformance to established criteria (see figures 1-2 and columns 5-7).

As per claim 21, Swenson et al teach:

An object-oriented application framework for building work process models comprising:

(a) an abstract, extensible decision class which encapsulates common attributes and methods needed to model a decision or choice to be made, and (see figures 1-2 and columns 5-7),

an abstract, extensible data class which encapsulates the common attributes and methods needed to model a data result produced by the decision, or alternatively (see figures 1-2 and columns 5-7),

(b) a single abstract, extensible class which combines the attributes and methods of said abstract decision and data classes (see figures 1-2 and columns 5-7).

As per claim 22, Swenson et al teach:

The framework of claim 21 further comprising a concrete directed arc class, which encapsulates the attributes and methods needed to model the dependency relationship between concrete decision classes, or instances of those classes, at the nodes of the directed arc instances, where such dependency arises from the requirement by one decision, the terminal or exit decision, for data produced by another decision, the initial or entry decision (see figures 1-2 and columns 5-7).

As per claim 23, Swenson et al teach:

The framework of claim 22 further comprising an abstract decision role class which encapsulates common attributes and methods needed to model participation of people in a decision modeled by a concrete decision class (see figures 1-2).

As per claim 24, Swenson et al teach:

The framework of claim 23 further comprising a concrete decision manager class as one specialization of the decision role class, where the role modeled by said decision

manager class has a right to make a decision or choice modeled by the associated concrete decision class (see figures 1-2 and columns 5-7).

As per claim 25, Swenson et al teach:

The framework of claim 24 further comprising a concrete approver class as an additional specialization of the decision role class, where the role modeled by said approver class has a right to veto said decision or choice (see figure 1, item 36).

As per claim 26, Swenson et al teach:

The framework of claim 25 further comprising a concrete consultee class as an additional specialization of the decision role class, where the role modeled by said consultee class has a right to an opportunity to influence the decision or choice before said choice is made, but not the opportunity to veto said decision or choice (see figure 1).

As per claim 27, Swenson et al teach:

The framework of claim 26 further comprising a concrete informee class as an additional specialization of the decision role class, where the role modeled by said informee class has a right to be timely informed of the result of making said decision or choice (see figure 1)

As per claim 28, Swenson et al teach:

The framework of claim 27 further comprising a concrete inspector class as an additional specialization of the decision role class, where the role modeled by said inspector class has a right to veto said decision or choice, but only as it fails to meet established criteria (see figure 1).

As per claim 29, Swenson et al teach:

The framework of claim 21 further comprising a concrete rule class as a specialization of the data class, where an instance of said rule class may be specified by a concrete decision class for use in (a) making a decision or choice modeled by said decision class, (b) contingently determining a dependency of the decision modeled by said decision class on the result of a *decision* modeled by some other concrete decision class, or (c) contingently determining participation and role of persons in the decision or choice modeled by said concrete decision class (see figures 1-2 and columns 5-7).

As per claim 30, Swenson et al teach:

A method for managing one or more work processes comprising:

constructing a computer-based process model for each of said one or more work processes, wherein each said process model includes at least two instances of a first network (see figure 5);

requiring that each of said at least two instances of said first network be comprised of three or more nodes (see figure 5);

requiring that a first node of said three or more nodes model an activity of one of said one or more work processes (see figure 5);

requiring that a second node of said three or more nodes model behaviors of a first role of a first participant in said activity (see figure 5);

requiring that a third node of said three or more nodes model behaviors of a second role of a second participant in said activity (see figure 5); and

using each of said computer-based process models to support at least one of execution, control and improvement of said one or more work processes (see column 2, lines 9-33).

As per claim 31, Swenson et al teach:

The method of claim 30 further comprising:

modeling each of said one or more work processes as a second network, wherein said at least two instances of said first network comprise the nodes of said second network (see figure 5) .

As per claim 32, Swenson et al teach:

The method of claim 31 further comprising:

requiring that said behaviors of said first role be identically defined for every instance of said first role modeled by an instance of said second node of said three or more nodes in each of said at least two instances of said first network (see figures 5-6); and

requiring that said behaviors of said second role be identically defined for every instance of said second role modeled by an instance of said third node of said three or more nodes in each of said at least two instances of said first network (see figures 5-6).

As per claim 33, Swenson et al teach:

The method of claim 32 further comprising:

requiring that said first node of said three or more nodes be a concrete object class (see figure 5, items 140-148);

using each said computer-based process model to generate one or more project models, wherein each of said one or more project models is an instance of a computer-based process model from which said each of said one or more project models has been generated (see column 2, line 9 – column 3, line 39); and

requiring that each of said one or more project models have an object instance of each concrete object class in said each of said one or more project models, in place of one or more occurrences of said each concrete object class in a computer-based process model from which said each of said one or more project models was generated (see column 2, line 9 – column 3, line 39, figures 2-6).

As per claim 34, Swenson et al teach:

A method for managing one or more work processes comprising: constructing a computer-based process model of each of said one or more work processes;

requiring that each of said process models includes one or more models of decision situations in one of said one or more work processes, wherein each of said decision situations requires a choice to be made (figures 2-6);

requiring that each of said process models model participation of one or more persons in said each of said decision situations, said participation being modeled as at least two decision roles (see figures 2-6);

requiring that each of said at least two decision roles be associated with said each of said decision situations (see figures 2-6);

requiring that said each of said at least two decision roles have defined behaviors (see figure 5);

requiring that said defined behaviors of said each of said at least two decision roles be differentiated from said defined behaviors of every other one of said at least two decision roles (see column 13, line 23 – column 14, line 40);



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requiring that said defined behaviors be invariant with respect to all of said decision situation (see figures 5-6); and

using each of said computer-based process models to support at least one of execution, control and improvement of said one or more work processes (see column 2, line 7 – column 3, line 39).

As per claim 35, Swenson et al teach:

The method of claim 34 further comprising:

requiring that said behaviors of each of said at least two decision roles include at least one of (i) a right of said role with respect to making a choice, (ii) a right of said role with respect to rejecting a choice, (iii) a right of said role with respect to an opportunity to influence a choice and, (iv) a right of said role with respect to being informed of a choice (see figures 5-6).

As per claim 36, Swenson et al teach:

The method of claim 34 further comprising:

requiring that one of said at least two decision roles support participation of one or more persons in a decision manager role (see figures 5-6, column 5, line 1 – column 8, line 24; column 13, line 23 – column 15, line 21);

requiring that said one or more persons participating in said decision manager role make a choice anticipated by said decision situation associated with said decision manager role (see figures 5-6, column 5, line 1 – column 8, line 24; column 13, line 23 – column 15, line 21);

requiring that a second of said at least two decision roles support participation of persons in a consultee role in said decision situation associated with said decision manager role (see column 5, lines 15-30);

requiring that each of said persons participating in said consultee role be responsible for providing each of said persons participating in said decision manager role with information relevant to said decision situation (see column 5);

requiring that said persons participating in said decision manager role give each of said persons participating in said consultee role: (i) a notice that said choice to be made as required by said decision situation is impending, and (ii) sufficient time between providing said notice and making said choice for said persons participating in said consultee role to have provided said information to said persons participating in said decision manager role (see column 5); and

requiring that, at the option of one or more persons constructing said computer-based process model containing said decision situation with which said any role is associated, there be zero or more persons in any one of said at least two decision roles other than said decision manager role (see columns 5-7).

As per claim 37, Swenson et al teach:

The method of claim 36 further comprising:

requiring that a third of said at least two decision roles support participation of persons in an approver role (see column 5, line 15 – column 7, line 44);

requiring that each of said persons participating in said approver role be given a first notice of a result of said choice to be made by said persons participating in said decision manager role (see column 5, line 15 – column 7, line 44); and

requiring that each of said persons participating in said decision manager role refrain from implementing said choice until each of said persons participating in said approver role have given their approval of said choice (see column 5, line 15 – column 7, line 44).

As per claim 38, Swenson et al teach:

The method of claim 37 further comprising:

requiring that a fourth of said at least two decision roles support participation of persons in an informee role (see column 5, line 15 – column 7, line 44; column 13, line 13 – column 15, line 21); and

requiring that each of said persons participating in said informee role be given a second notice of said result of said choice made by said persons participating in said decision manager role (see column 5, line 15 – column 7, line 44; column 13, line 13 – column 15, line 21).

As per claim 39, Swenson et al teach:

The method of claim 38 further comprising:

requiring that a fifth of said at least two decision roles support participation of persons in an inspector role (see column 4, line 65 – column 7, line 17);

requiring that each of said persons participating in said inspector role be given a third notice of said result of said choice to be made by said persons participating in said decision manager role (see column 4, line 65 – column 7, line 17); and

requiring that each of said persons participating in said decision manager role refrain from implementing said result until said persons participating in said inspector role have accepted said result, wherein said acceptance shall be based exclusively on the conformance of said result to one or more predetermined criteria for said result (see column 4, line 65 – column 7, line 17).

As per claim 41, Swenson et al teach:

The method of claim 34, wherein said decision situations include a first decision situation and further comprises:

requiring, at the option of one or more persons constructing one of said computer-based process model which includes a model of said first decision situation, that a first choice required by said first decision situation be made by specifying that a result of a second decision situation of said decision situations be used as a rule to determine a result of said choice required by said first decision situation (see column 4, line 65 – column 7, line 25; column 13, line 13 – column 15, line 21).

As per claim 42, Swenson et al teach:

The method of claim 41 further comprising:

requiring, at the option of one or more persons constructing said one of said computer based process model which includes said model of said first decision situation, that said first decision situation have a requirement for a result of a third

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decision situation as a prerequisite to said choice required by said first decision-situation (see column 4, line 65 – column 7, line 25; column 13, line 13 – column 15, line 21);

requiring, at the option of one or more persons constructing said one of said computer based process model which includes said model of said first decision situation, that said requirement for said result of said third decision situation be contingent on a result of a fourth decision situation, wherein said result of said fourth decision situation is used as a rule to determine said requirement of said first decision situation (see column 4, line 65 – column 7, line 25; column 13, line 13 – column 15, line 21);

requiring, at the option of one or more persons constructing said one of said computer based process model which includes said model of said first decision situation, that an association of a decision role with said first decision situation be contingent on a result of a fifth decision situation, wherein said result of said fifth decision situation is used as a rule to determine said association of said decision role with said first decision situation and requiring, at the option of one or more persons constructing said one of said computer based process model which includes said model of said first decision situation, that selection of a person participating in a decision role associated with said first decision situation be contingent on a result of a sixth decision situation, wherein said result of said sixth decision situation is used as a rule to determine said selection of said person participating in said decision role associated

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with said first decision situation (see column 4, line 65 – column 7, line 25; column 13, line 13 – column 15, line 21).

As per claim 43, Swenson et al teach:

The method of claim 34 further comprising:

requiring that each of said one or more models of decision situations be a concrete decision object class (see column 2, line 1 – column 3, line 38);

using each said computer-based process model to generate one or more project models, wherein each of said one or more project models is an instance of said each said computer-based process model from which said each of said one or more project models was generated (see column 2, line 1 – column 3, line 38, figures 2-6) and

requiring that said each of said one or more project models have a decision object instance of each concrete decision object class in said each of said one or more project models, in place of one or more occurrences of said each concrete decision object class in said each said computer-based process model from which said each of said one or more project models has been generated (see column 2, line 1 – column 3, line 38, figures 2-6).

As per claim 44, Swenson et al teach:

The method of claim 43 further comprising:

providing a superclass of said concrete decision object class and requiring that all said concrete decision object classes be generated by customizing said superclass (see figures 5-6).

As per claim 45, Swenson et al teach:

The method of claim 44 further comprising:

providing an application framework to support construction of said one or more process models (see column 2, line 6 – column 3, line 37);

requiring that said framework include said superclass of said concrete decision object classes (see figures 5-6);

requiring that said framework include two or more concrete decision role object classes (see figures 5-6);

and requiring that each of said two or more concrete decision role object classes models behaviors defined for one of said at least two decision roles (see figures 5-6).

As per claim 46, Swenson et al teach:

A method for managing one or more work processes comprising:

constructing a computer-based process model of each of said one or more work processes, wherein each said process model includes a network with a concrete object class at each node of said network (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6);

providing a customizable object class encapsulating common attributes and methods required to model a work element of any one of said one or more work processes; generating said concrete object class at each said node of each said process model by customizing said customizable object class (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6);

generating one or more project models from each said computer-based process model, wherein each of said one or more project models includes a network with an object instance of a concrete object class at each node (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6);

requiring that each said object instance at the node of any of said one or more project models be an instance of said concrete object class at a corresponding node of said process model from which said project model has been generated (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6); and

using said process model and said one or more project models in support of at least one of execution, control and improvement of said one or more work processes (see column 2, line 1 – column 3, line 40).

As per claim 47, Swenson et al teach:

The method of claim 46 further comprising using said customizable object class to model a decision situation requiring a choice (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6);

generating two or more concrete decision object classes by customizing said customizable object class and requiring that each said concrete decision object class and each object instance of said concrete decision object class, support participation of one or more persons in each said decision situation (see column 2, line 1 – column 3,



line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6).

As per claim 48, Swenson et al teach:

The method of claim 47 further comprising:

requiring that said support of participation of one or more persons in said each said decision situation provide support for participation in two or more differentiated roles (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6).

As per claim 49, Swenson et al teach:

The method of claim 48 further comprising:

defining behaviors of each of said two or more differentiated roles in a concrete decision role object class and providing a decision role object instance of a concrete decision role object class in both said process and said project models to model each instance of a decision role associated with a decision situation (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6).

As per claim 50, Swenson et al teach:

The method of claim 49 further comprising:

requiring that said behaviors of each of said two or more differentiated roles include at least one of (i) a right of said role with respect to making a choice, (ii) a right of said role with respect to rejecting a choice, (iii) a right of said role with respect to an

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opportunity to influence a choice, and (iv) a right of said role with respect to being informed of a choice (see column 5, line 15 – column 7, line 25).

As per claim 51, Swenson et al teach:

The method of claim 49 further comprising:

requiring that incumbents of a first of said two or more differentiated roles make said choice modeled by said associated decision situation (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6);

requiring that incumbents of a second of said two or more differentiated roles at least one of (i) receive a notice that said choice is impending, (ii) have a period of elapsed time between receiving said notice and making said choice, and (iii) have access to said incumbent of said first of said two or more differentiated roles during said period of elapsed time (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6);

requiring that incumbents of a third of said two or more differentiated roles have an opportunity to inspect said result of said choice made by said incumbent of said first of said two or more differentiated roles, after said choice has been made, and to reject said result without reference to predetermined criteria (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6);

requiring that incumbents of a fourth of said two or more differentiated roles receive a notice of said result, after said choice has been made (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6); and

requiring that the number of incumbents in any one of said two or more differentiated roles associated with any said decision situation be established by one or more persons constructing a computer-based process model which contains said any said decision situation, subject to the constraint that there be at least one incumbent of said first of said two or more differentiated roles and that there be zero or more incumbents of any of said two or more differentiated roles other than said first of said two or more differentiated roles (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6).

As per claim 52, Swenson et al teach:

The method of claim 51 further comprising:

requiring that incumbents of a fifth of said two or more differentiated roles have an opportunity to inspect said result, after said choice has been made, and to reject said result based exclusively on said result's failure to conform to one or more predetermined criteria for said result (see column 2, line 1 – column 3, line 37; column 5, line 15 – column 7, line 17, column 9, line 30 – column 11, line 18; column 13, line 23 – column 15, line 21; figures 2-6).

As per claim 54, Swenson et al teach:

The method of claim 47 further comprising requiring, at the option of one or more persons constructing one of said computer-based process models, that a choice required by any one of said decision situations modeled by said computer-based model be made by specifying that a result of a second of said decision situations be used as a rule to determine a result of said choice required by said any one of said decision situations (see column 2, line 9 – column 3, line 37, column 5, line 15 – column 7, line 17).

As per claim 55, Swenson et al teach:

The method of claim 54 further comprising:

requiring, at the option of one or more persons constructing any one of said computer based process models which includes a model of a first of said decision situations, that said first of said decision situations have a requirement for a result of a second of said decision situations, as a prerequisite to said choice required by said first of said decision situations (see column 2, line 9 – column 3, line 37, column 5, line 15 – column 7, line 17);

requiring, at the option of one or more persons constructing said any one of said computer-based process models which includes said model of said first of said decision situations, that said requirement for said result of said second of said decision situations be contingent on a result of a third of said decision situations, wherein said result of said third of said decision situations is used as a rule to determine said requirement of said first of said decision situations (see column 2, line 9 – column 3, line 37, column 5, line 15 – column 7, line 17);

requiring, at the option of one or more persons constructing said any one of said computer-based process models which includes said model of said first of said decision situations, that an association of a decision role with said first of said decision situations, be contingent on a result of a fourth of said decision situations, wherein said result of said fourth of said decision situations is used as a rule to determine said association of said decision role with said first of said decision situations (see column 2, line 9 – column 3, line 37, column 5, line 15 – column 7, line 17); and

requiring, at the option of one or more persons constructing said any one of said computer-based process models which includes said model of said first of said decision situations, that selection of a person participating in a decision role associated with said first of said decision situations, be contingent on a result of a fifth of said decision situations, wherein said result of said fifth of said decision situations is used as a rule to determine said selection of said person participating in said decision role associated with said first of said decision situations (see column 2, line 9 – column 3, line 37, column 5, line 15 – column 7, line 17).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 40 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swenson et al (U.S. 5,490,097).

As per claim 40, Swenson et al fail to teach:

The method of claim 39 further comprising:

requiring that said one or more predetermined criteria include one or more requirements relating to a context of said decision situation, including, (i) in a context requiring production of a document, that a copyright notice and trademark be displayed on said document, and (ii) in a context requiring design of a product label, that colors specified for various segments of said product label be in accordance with a label specification policy. However, Official notice is taken that it is old and well known in the business art that a copyright or trademark logos are displayed to identify you as the source of a product or service. Whether you are creating a marketing plan or working with an advertising or marketing firm to help you develop one, the success of that plan may ultimately depend on the steps you take now to protect it. Such marks can become powerful symbols of products and services in the marketplace that help businesses create branding strategies that establish consumer loyalty. In fact, the rights in a mark are a business asset that can be sold or licensed to others. You can also use the mark to maintain yourself as the exclusive source of a product or service. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that it would be a good business practice to mark documents with trademarks or copyright logos to indicate protection.

As per claim 53, Swenson et al fail to teach:

The method of claim 52 further comprising:

requiring that said one or more predetermined criteria include requirements relating to a context of said associated decision situation, including, (i) in a context

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requiring production of a document, that a copyright notice and trademark be displayed on said document and that said notice contain a specific text, rendered in a specific font and size, and (ii) in a context requiring design of a product label, that colors specified for various segments of said product label be in accordance with a label specification policy. However, Official notice is taken that it is old and well known in the business art that a copyright or trademark logos are displayed to identify you as the source of a product or service. Whether you are creating a marketing plan or working with an advertising or marketing firm to help you develop one, the success of that plan may ultimately depend on the steps you take now to protect it. Such marks can become powerful symbols of products and services in the marketplace that help businesses create branding strategies that establish consumer loyalty. In fact, the rights in a mark are a business asset that can be sold or licensed to others. You can also use the mark to maintain yourself as the exclusive source of a product or service. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that it would be a good business practice to mark documents with trademarks or copyright logos to indicate protection.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-55 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

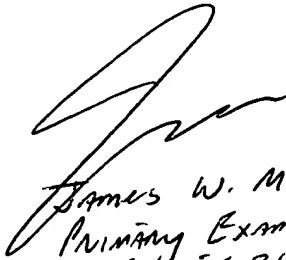
Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W STAMBER can be reached on 703-305-8469. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

D.L.

Daniel Lastra  
July 12, 2003

  
James W. MYHALL  
PRIMARY EXAMINER  
ART UNIT 3622